

Message Text

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PAGE 01 GUAYAQ 01356 122105Z
ACTION SCS-03

INFO OCT-01 ARA-10 ISO-00 SCA-01 /015 W
-----002931 122110Z /64

P R 122000Z AUG 77
FM AMCONSUL GUAYAQUIL
TO AMCONSUL TIJUANA PRIORITY
INFO SECSTATE WASHDC 5565
AMEMBASSY QUITO

LIMITED OFFICIAL USE GUAYAQUIL 1356

FOR LEILA S. BELAVAL

EO 11652: N/A
TAGS: CARR
SUBJ: DEPARTMENT SEMINAR ON EMDAP

REF: STATE 186783, QUITO 5362

1. STATUS OF ARRESTS AND USCIT PRISONERS DETAINED GUAYAQUIL
CONSULAR DISTRICT FOLLOWS AS REQUESTED REFTELS.

2. FOUR USCIT PRISONERS ARE CURRENTLY SERVING EIGHT
YEAR SENTENCES AT GUAYAQUIL FOR TRAFFICKING NARCOTICS.
TWO USCIT PRISONERS ARE STILL WAITING TO BE TRIED
AFTER 13 MONTHS PENDING TRIAL AND POSSIBLE SENTENCE.
ALL PRISONERS CURRENTLY DETAINED ARE ACCUSED OF
ATTEMPTING TO TRAFFIC COCAINE, AND THE AMOUNT IN
EVERY CASE WAS ONE KILO OR MORE.

3. ARRESTS HERE ARE OFTEN COMPLICATED MATTERS, AS
THERE HAS APPEARED TO BE CONSIDERABLE LATITUDE AND
AMBIGUITY IN APPLICATION OF ECUADOREAN LAW. USCIT
PRISONERS HAVE GENERALLY TOLD CONSULAR OFFICERS THEY
CONSIDER ECUADOREAN JUDICIAL PROCESS TO BE SLOW,
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UNCOMPASSIONATE AND INQUITABLE BY AMERICAN STANDARDS.

4. PRISONERS' HEALTH AND DIET ARE MONITORED BY
CONSULAR OFFICER WHO VISITS THE PRISONERS TWICE A
MONTH. SINCE MEALS CUSTOMARILY PROVIDED AT PRISON
ARE NOT CONSIDERED PALATABLE AND NUTRITIONALLY ADQUATE,
PRISONERS HELY UPON THEIR OWN PRIVATE FUNDS TO

SUPPLEMENT THEIR DIETS BY PURCHASING FOOD AND PREPARING THEIR OWN MEALS. RELIANCE UPON FAMILY AND FRIENDS PLAYS AN IMPORTANT ROLE IN THE SUSTENANCE OF PRISONERS. RELATIVES OF PRISONERS COMPENSATE FOR PRISON INADEQUACIES BY CONSTANTLY SUPPLYING FOOD AND CLOTHING. US PRISONERS ARE EXTREMELY AT A DISADVANTAGE WHEN DETAINED IN LOCKUPS LOCATED FAR FROM THE CONGEN, AND THEIR WELLBEING IS SERIOUSLY THREATENED IF THEY CANNOT AFFORD TO PAY SOMEONE TO BUY MEALS AND CLOTHING.

5. CONGEN IS CUSTOMARILY QUICKLY NOTIFIED OF ARRESTS AND LAWYERS ARE USUALLY EASY TO RETAIN. THERE ARE A FAIR NUMBER OF ATTORNEYS IN GUAYAQUIL AND FEES VARY WITH QUALIFICATIONS. PUBLIC DEFENDERS ARE FEW IN NUMBER AND ARE COMMONLY INEXPERIENCED YOUNG LAWYERS; THEIR CASE LOAD IS ALWAYS LARGE. US PRISONERS ARE ADVISED TO SELECT LEGAL COUNSEL FROM LIST OF COMPETENT LOCAL ATTORNEYS, WHO FREQUENTLY HAVE TO BE COAXED TO FOLLOW-UP ON THE CASES OF THEIR CLIENTS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GUAYAQ01356
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770291-0719
Format: TEL
From: GUAYAQUIL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770868/aaaacfmng.tel
Line Count: 83
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c257755b-c288-dd11-92da-001cc4696bcc
Office: ACTION SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 186783, 77 QUITO 5362
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 18-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1620745
Secure: OPEN
Status: NATIVE
Subject: DEPARTMENT SEMINAR ON EMDAP
TAGS: CARR
To: TIJUANA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/c257755b-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009